

Art Unit 2651
Serial No.10/676,780

Reply to Office Action of: 12/22/2005
Attorney Docket No.: K35A1299

REMARKS

ALLOWABLE SUBJECT MATTER:

Applicant notes with appreciation the indication that Claims 11-42 are allowable and that Claims 2-10 would be allowable if rewritten in independent form to include all limitations of their respective base claims and any intervening dependent claims. In this response, Claim 10 has been canceled without prejudice or disclaimer, and Claim 1 has been amended to include all of the limitations of now-canceled Claim 10.

CLAIM OBJECTIONS:

Claims 28 and 29 are deemed objectionable for reciting "the method as defined in Claim 27" in the preamble when Claim 27 is an apparatus claim directed to a disk drive. Claims 28 and 29 have been amended to recited "the disk drive as defined in Claim 27" rather than "the method as defined in Claim 27." Accordingly, Applicant respectfully requests reconsideration and withdrawal of the objections to Claims 28 and 29.

REJECTION UNDER 35 USC 102(e):

Claim 1 is rejected under 35 USC 102(e) as being anticipated by U.S. Pat. No. 6,590,728 issued to Yang ("Yang"). Applicant has amended Claim 1 in this response to include all of the limitations of dependent Claim 10, the subject matter of which was indicated by the Examiner to be allowable over Yang. Since the subject matter of Claim 1 is now identical to the subject matter deemed allowable by the Examiner, Claim 1 is now allowable over Yang, as are Claims 2-9 that depend on Claim 1. For at least these reasons, Applicant respectfully requests reconsideration and allowance of Claim 1 and its dependent claims.

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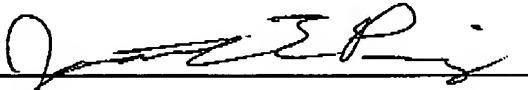
CONCLUSION

In view of the foregoing amendments and/or remarks, Applicant respectfully submits that the pending claims are now in condition for allowance and requests reconsideration of the rejections. If it is believed that a telephone conversation would expedite the prosecution of the present application, or clarify matters with regard to its allowance, the Examiner is invited to contact the undersigned attorney at the number listed below.

The Commissioner is hereby authorized to charge payment of any required fees associated with this Communication or credit any overpayment to Deposit Account No. 23-1209.

Respectfully submitted,

Date: 3/22/06

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